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FROM
PEARNE & GORDON LLP
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Name of Sender Jeffrey J. Sopko

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PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Alan Britt et al.
Serial No.: 09/938,532
Filed: August 17, 2001
Title: CYLINDER HEAD AND CRANKCASE MANUFACTURING
AND ASSEMBLY TECHNIQUES
Petitions Attorney: Charles Steven Brantley
Docket No.: 33053

LETTER

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OCT 25 2002

PETITIONS OFFICE

Commissioner for Patents
Box DAC
Washington, D.C. 20231

Sir:

Applicant encloses herewith Petition Under Rule 47, stating that Alan Britt, inventor and applicant for the above-identified application, has refused to sign the required Declaration and Power of Attorney. Also enclosed is a Declaration of Tiffany L. Ballou explaining the steps taken to locate Mr. Britt and acquire the Declaration.

Please charge Deposit Account No. 16-0820, our Order No. 33053, the appropriate fee of \$130.00 under 37 CFR 1.17(h).

Respectfully submitted,

PEARNE & GORDON LLP

By:

Jeffrey J. Sopko, Reg. No. 44682

526 Superior Avenue, East
Suite 1200
Cleveland, Ohio 44114-1484
(216) 579-1700

Date: October 25, 2002

CERTIFICATION OF FACSIMILE TRANSMISSION

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Jeffrey J. Sopko

Name of Attorney for Applicant(s)

October 25, 2002

Date

Signature of Attorney

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Alan Britt et al.
Serial No.: 09/932,532
Filed: August 17, 2001
Title: CYLINDER HEAD AND CRANKCASE MANUFACTURING
AND ASSEMBLY TECHNIQUES
Petitions Attorney: Charles Steven Brantley
Docket No.: 33053

PETITION UNDER RULE 47

Commissioner for Patents
Box DAC
Washington, D.C. 20231

FAX RECEIVED**OCT 25 2002****PETITIONS OFFICE**

Sir:

Pursuant to 37 CFR 1.47(a), applicant hereby requests and petitions that the above-referenced application be accepted having less than all of the inventors signing the Declaration under 37 CFR 1.63.

Statement of Pertinent Facts

The undersigned hereby states the following:

Alan Britt is listed as an inventor in the above-referenced application.

The last known address of Alan Britt is:

4630 Renfroe Road
Talladega, AL 35160

On November 30, 2001, a letter was sent to the above address, a copy of which is attached hereto as "Exhibit A." The letter was signed by myself, requesting Alan Britt's signature on Declaration under 37 CFR 1.63, which was enclosed. No response was received.

On January 8, 2002, another letter requesting the signed Declaration was sent to the above address, a copy of which is attached hereto as "Exhibit B." No response was received.

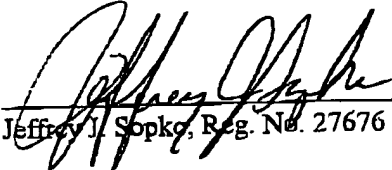
On May 28, 2002, a third letter requesting the signed Declaration was sent to the above address (also enclosed was a copy of the complete application), a copy of which is attached hereto as "Exhibit C". No response was received.

On June 3, 2002, I personally telephoned Alan Britt at which time he explicitly refused to sign and return the Declaration.

Respectfully submitted,

PEARNE & GORDON LLP

By:


Jeffrey J. Sopko, Reg. No. 27676

526 Superior Avenue, East
Suite 1200
Cleveland, Ohio 44114-1484
(216) 579-1700

Date: October 25, 2002

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Alan Britt et al.

Serial No.: 09/932,532

Filed: August 17, 2001

Title: CYLINDER HEAD AND CRANKCASE MANUFACTURING AND
ASSEMBLY TECHNIQUES

Petitions Attorney: Steven Brantley

Docket No.: 33053

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OCT 25 2002

PETITIONS OFFICE

DECLARATION OF TIFFANY L. BALLOU

I, Tiffany L. Ballou, a citizen of the United States of America, residing at Lakewood, Ohio hereby declare the following.

My procedure for finding Mr. Alan Britt and sending Mr. Alan Britt a copy of the complete application, including the formal papers (Declaration and Power of Attorney & Assignment):

1. On May 28, 2002, I searched for the last known address for Mr. Alan Britt, finding it on the internet white pages website (www.whitepages.com).
2. I mailed the complete application, i.e. specification, claims, abstract and drawings, and the formal papers, via Express Mail (Label No. EL 738298163US), to Mr. Alan Britt at 4630 Renfro Road, Talladega, AL 35160 (a copy of this label is attached as Exhibit "A"). Also enclosed with the application was an additional copy of the application and formal papers for his records and a prepaid, return Express Mail label and envelope for Mr. Britt to return to us the executed

documents.

3. Approximately two days later, I called Mr. Britt to verify that he had received the papers. His wife informed me that they had received the papers (a print-out from the United States Post Office showing the delivery status of this package is attached as Exhibit "B"), but she did not think Mr. Britt would sign them. I asked her to have Mr. Britt call Mr. Jeffrey J. Sopko, Attorney for the Assignee, and inform him of this decision.

Based upon information and belief, the complete application and formal papers was sent to Mr. Alan Britt and received by him in May of 2002.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Tiffany J. Ballou
Tiffany J. Ballou

Date 10/25/2002

Post Office Address:

1652 Blossom Park
Lakewood, Ohio 44107

EXHIBIT "A"

EXPRESS MAIL

POST OFFICE TO ADDRESSEE

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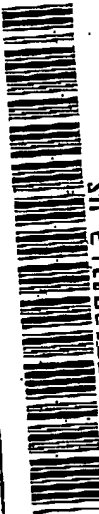
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62/

EXHIBIT "B"

USPS - Track & Confirm

Page 1 of 1



Track & Confirm

Delivery Status

You entered EL73 8298 163U S

Your item was delivered at 10:51 am on May 29, 2002 in TALLADEGA, AL 35160. The item was signed for by A BRITT.

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